

# **Title VI Accomplishments for Year 2002 Goals for 2003 of the Hawaii Department of Transportation**

**A Report to the Federal Highway Administration**

**Prepared by:  
Office of Civil Rights  
Hawaii Department of Transportation**

**February 28, 2003**

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# INTRODUCTION

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This report is submitted in response to Title 23 (Highways), Part 1, Section 1 of the U.S. Code of Federal Regulations to “Prepare a yearly report of Title VI accomplishments for the past year and goals for the next year.” As a recipient of federal funding, the Hawaii Department of Transportation (HDOT) must comply with Title VI of the Civil Rights Act of 1964 and related rules and regulations.

The HDOT consists of the following divisions: Airports, Harbors and Highways. Each division prepared its own accomplishments report using the format outlined in the HDOT 2002 Title VI Plan. Where items or questions from the 2002 Title VI Plan did not apply or when the information was best obtained at the departmental level, the divisions noted this in their reports.

The format for this report follows the format described in Attachment C (Format for Annual Accomplishments Report) of the last approved HDOT Title VI Plan submitted in November 2001 to the Federal Highways Administration – Hawaii Division (FHWA-Hawaii Division).

The HDOT Office of Civil Rights wishes to acknowledge Stephen Takashima (HDOT Airports Division), Glenn Soma (HDOT Harbors Division) and Antonie Wurster (HDOT Highways Division) in compiling and preparing their respective reports for the department. Rey Domingo, HDOT Title VI Program Specialist, would not have been able to review and finalize this accomplishments report without their commitment and diligence.

## I. POLICY STATEMENT

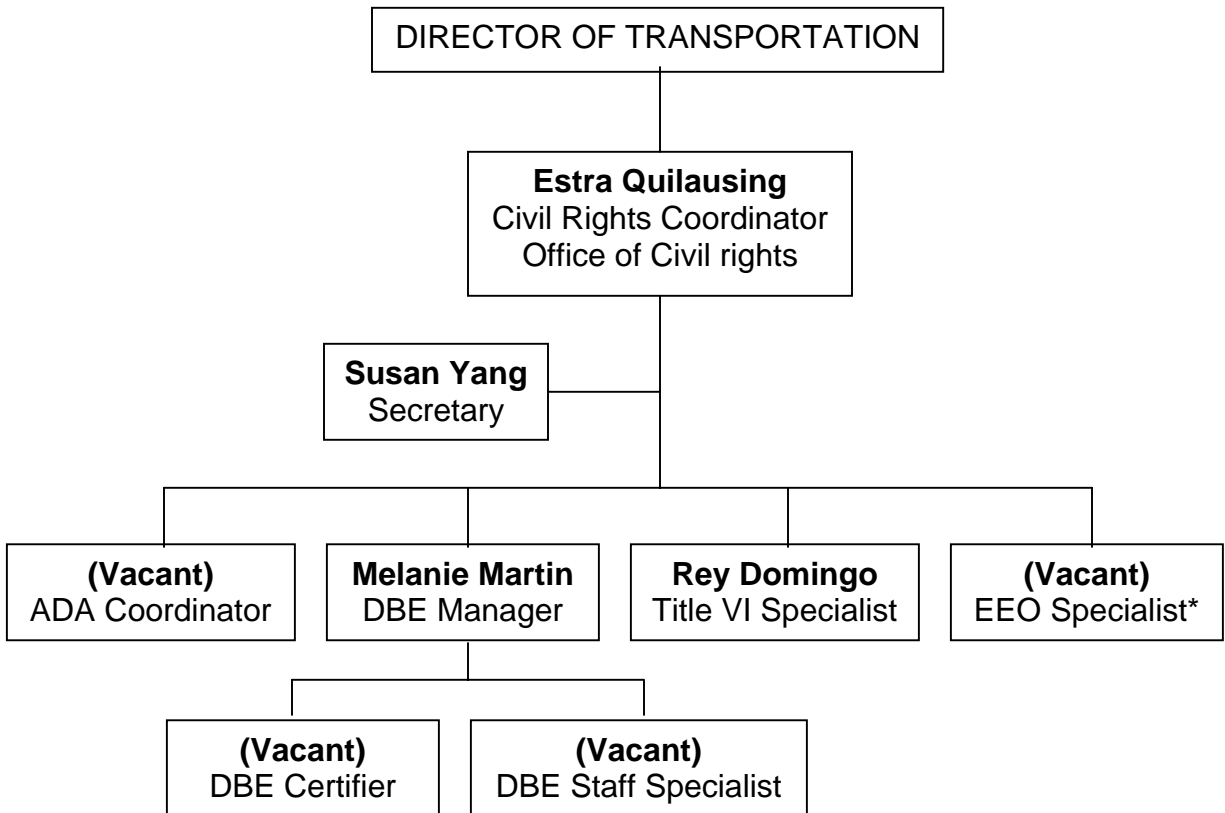
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It is the policy of the Hawaii Department of Transportation (HDOT) including its Airports, Harbors and Highways Divisions to assure that it is in full compliance with Title VI of the Civil Rights Act of 1964 and all related regulations and directives in all programs and activities. No person shall, on the grounds of race, color, national origin, or gender be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any HDOT program or activity. The HDOT further assures that it will make every effort to prevent discrimination by the impact of its programs, policies and activities on minority populations and on low-income populations.

*The above policy will be disseminated as soon as the latest Title VI Plan submitted on February 21, 2003 to FHWA-Hawaii Division is approved. The new HDOT Title VI Plan contains this policy statement.*

## II. ORGANIZATION, STAFFING, STRUCTURE

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\* Position is pending due to reorganization.

### III. TITLE VI MONITORING AND REVIEW PROCESS

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*As required, the following is a summary of activities where Title VI reviews were conducted, including findings, recommendations, action items and status, where appropriate.*

During the reporting period, the HDOT Title VI Program Specialist met with HDOT Division staffs and sub-recipients to go over department Title VI policy, requirements and expectations. Meetings were held on:

January 18, 2002	Right of Way Branch, Highways Division
January 22, 2002	Planning Branch, Highways Division
January 22, 2002	Materials Testing and Research Branch, Highways Division
January 23, 2002	Contracts Office (Department)
January 24, 2002	Statewide Transportation Planning Office
February 1, 2002	Personnel Office (Department)
March 1, 2002	Planning Office, Kauai County
April 19, 2002	Planning Section, Harbors Division
August 1, 2002	Design Branch, Highways Division
August 1, 2002	Traffic Branch, Highways Division
August 1, 2002	Motor Vehicle Safety Office, Highways Division

Compliance reviews were conducted in the following counties:

October 14, 2002	Hawaii County
October 15, 2002	Maui County

Documents were also reviewed for Title VI and Environmental Justice compliance:

- Hawaii Statewide Transportation Plan, by the Statewide Transportation Planning Office.
- Title VI & Environmental Justice Compliance Report, by the Oahu Metropolitan Planning Organization.
- Kihei-Upcountry Maui Highway environmental impact statement report.

The HDOT Title VI Program Specialist also attended and participated in meetings involving projects with possible Title VI and Environmental Justice concerns with project managers and consultants:

- Kapaa Relief Route project / Kapaa Traffic Circulation Study
- Kuhio Highway Improvements project
- Nimitz Highway project

Provided recommendations on the following projects:

*Puakea project (Kauai)*

Description: Project involved the development of a middle school, park, commercial area, golf course and single-family residences. Kaneka Street, a connector to Puhi Road, was designed to meet minimum standards with a sidewalk on only one side of the street with no curbs and gutters and will serve the affordable housing area of the project. The sidewalk was constructed out of AC. In contrast, Nuhou Street was designed with curbs, gutters and sidewalks and will serve the market lot region. Eventually, the landowner and developer will turn over the streets to the county.

Recommendation: The landowner and developer decided on different strategies for dissimilar sections of the development for market reasons. It appeared that based on its plan, the streets were not equitable. Since the county presently did not own the land the project was located and there were no federal dollars involved, there was no Title VI concern. However, when the county receives possession of the two streets, as a sub-recipient, the county must then ensure that the streets will be equitable.

*North Shore/Haleiwa Bridge project*

Description: Project staff had concerns about the extent of assistance to owner of property affected by the bridge project.

Recommendation: Conferred with Right of Way Branch. Emphasized fair and equitable treatment of owner and property.

*Harbors Division security project*

Description: Division received federal grant to improve security at Honolulu Harbor involving security surveillance cameras, sub-structural fencing and vehicle crash barriers.

Recommendation: Must involve “public”, vendors/users, through informational meetings and/or notices. Language provisions are already in contracts.

HDOT Title VI Program Specialist also attended public meetings on the following subjects:

April 15, 2002	Hawaii Statewide Transportation Plan (Kawananakoa Middle School)
June 19, 2002	Hawaii Statewide Transportation Plan (Kona, Hawaii)

Also provided input to federal regulation on guidance to persons with Limited English Proficiency

Also attended the following training:

August 6, 2002	Americans with Disabilities Act
November 12-13, 2002	Investigation Workshop/Training, by the State Judiciary
December 11, 2002	Census 2000 workshop, by U.S. Census Bureau representative



## **IV. COMPLAINTS**

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There were no Title VI complaints filed during the year.

## V. ACCOMPLISHMENT REPORT FOR EACH PROGRAM AREA

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For the following, each numbered item corresponds to Attachment C (Format for Annual Accomplishments Report) of the last approved HDOT Title VI Plan submitted in November 2001 to FHWA-Hawaii Division. Please refer to the section, Format for Annual Accomplishments Report, on page 29 of this report.

### **Planning**

#### Statewide Transportation Planning Office

1. No consultant projects for planning were awarded during the reporting period. However, work on the development of the Hawaii Statewide Transportation Plan (HSTP) was completed during this period. Various consultants were used, including women and minority owned firms on the HSTP. Cost for the HSTP amounted to \$900,000.
2. Not applicable.
3. No specific studies were conducted, however, the HSTP document utilized socioeconomic impact data relative to minority persons, neighborhoods, income levels, physical environment and travel habits. See item #4 below on discussion of individuals and agencies that provided assistance on Title VI considerations.
4. Public input consisted of Citizen Advisory Committees (1 each on Maui, Kauai, Oahu, and 2 on Hawaii) consisting of a cross section of individuals representing minorities, neighborhoods, income levels, physical environment, and travel habits. The Citizen Advisory Committees (CAC) met three times each during this reporting period. See attached matrix "HSTP Participant Listing", designation "CAC" for participant listing and representation.

Additionally, Resource Group Interviews (RGI) were conducted. Seventy-one resource group interviews were held throughout the state in developing the HSTP. Groups included Native Hawaiians; state and county civil defense agencies, private organizations that assist the transit dependent, the elderly, the poor and the disabled; advocates for non-motorized transportation and environmental concerns; and various community groups to name a few. The attached matrix lists these resource groups and is designated as "Res Grp" on the listing. The ability to satisfy Title VI and Environmental justice requirements was considered in the selection of some of the groups. The Technical Appendix to the HSTP includes meeting minutes for each resource group interview.

Also, a random home telephone survey was conducted statewide as part of this planning project in order to reach groups that may have been otherwise under-represented in the outreach effort. Although described as random, the survey was “tweaked” to boost the number of surveys in geographic sub-areas (Lanai, Molokai, and Puna on Hawaii) that were identified as having relatively high concentration of minority and low-income individuals when compared to the state as a whole. Appendix K in the HSTP report further delineates the characteristics of the respondents including age, ethnicity and income levels.

Additionally, public hearings, one each on Maui and Kauai and two each on Oahu and Hawaii were conducted during this reporting period. These public meetings and all pertinent information on the development of the HSTP were provided in a number of ways throughout the project duration via a Public Information Program (PIP) developed for the HSTP. The PIP intended to ensure the widest possible exposure to the general public through the use of a internet website, outreach presentations and public meetings and state and local news media.

#### Airports Division

1. 3 contracts for \$1,736,905.
2. DBE goals were set for each project.
3. No studies.
4. No public information meetings or public hearings were held in 2002.

#### Harbors Division

1. No applicable planning projects were awarded to consultants during 2002.
2. As no applicable planning projects were awarded, no efforts were made to utilize minority and female consultants and subcontractors.
3. The Planning Office did not conduct any studies that provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habitats.
4. There were no public input opportunities or strategies used as there were no applicable planning projects conducted during 2002.

#### Highways Division

##### *Significant Accomplishments:*

The Highways Division made extensive efforts to involve the public, including low-income people and minorities, in planning. Some efforts include the following branches and plans:

- The Planning Branch and the Districts for the Statewide Transportation Improvement Program and for specific planned State projects in all counties;

- The Traffic Branch and the Districts for the Bike Plan Hawaii update; and
- The Districts for their own planning studies and projects, such as Kauai's 25 Year Comprehensive Roadway Corridor Study, Route 560, Kuhio Highway, a project funded in response to requests from the community and the Kapaa Traffic Circulation Study.

The Planning Branch recommended the establishment of a Highways Division Title VI Coordinator (DTC), based on its survey of the branches and districts. The Highways Administrator agreed to establish and fill a position for a full time DTC by re-describing a currently vacant position within the division. Hiring is anticipated in 2005.

1. One for the Leeward Community College 2<sup>nd</sup> Access. \$787,701 for Planning Branch planning projects.
2. The Interim Highways Division Title VI Coordinator questioned one planning consultant on the ethnicity of the staff who would provide professional planning services to the Planning Branch. No other efforts were reported.
3. It is in the scope for the Leeward Community College 2<sup>nd</sup> Access. The Title VI Specialist provided an orientation/training session for the planning consultants early in the year.
4. Twenty-nine (29) public meetings were held to obtain public input on planning at the Planning Branch, Traffic Branch, and three of the district offices (Hawaii, Kauai, and Maui).

Notices of the meetings were always published in newspapers. The Bike Plan Hawaii Update and STIP Amendment No. 2,3, and 4 along with meeting notices, were placed on the bike plan web page and Statewide Transportation Office web page, respectively. Notices on the STIP Amendments were provided to the Citizen Advisory Committees (CAC's) by mail. The CAC for East Hawaii was the only CAC with representatives of women's organizations (two from the Hilo Women's Club). The TIP Amendment No. 2 was posted on the OMPO web page and notices were sent by email or regular mail to environmental justice organizations.

The public outreach program for the Kapaa Relief Route included notices sent to all residents and businesses in the project area, airing of meeting notices on cable television and radio stations, placing meeting announcements in prominent sections of The Garden Island newspaper in addition to the legal notices section, publicizing the Wailua House Lots community meeting on a roadside banner, and contacting members of ethnic minority groups through churches and schools.

The consultant for the Nimitz Highway Contra Flow project went door to door in the project area to personally contact people at 131 businesses and residences.

The interim Divisional Title VI Coordinator provided a mailing list of the four Community Action Programs (KEO, HCAP, HCEOC, and MEO) to the Statewide Transportation Planning Office and the Advanced Planning Section of the Planning Branch to increase public involvement by low-income people.

The Planning Branch also provided a Braille version of STIP Amendment No. 2 to a person who requested it.

Only two minority organizations (Native Hawaiian Chamber of Commerce and Hawaii Island Portuguese Chamber of Commerce) are represented by one CAC member each on the island of Hawaii. One women's organization (Hilo Women's Club) on the island of Hawaii is represented by two CAC members, one in Hilo and one in Puna (Volcano).

## **Project Selection**

### Airports Division

1. 14 contracts awarded, three firms are certified DBE firms.
2. No stakeholder meetings were held.
3. Three meetings were held for the Hilo International Airport Master Plan and Noise Compatibility Program with the Keaukaha Community Association.
4. None.
5. None.

### Harbors Division

None.

### Highways Division

#### *Significant Accomplishments:*

The Staff Services Office added a section on Title VI and Environmental Justice Evaluation to the CIP Budget Information Sheet.

1. No. No efforts were reported by the Highways Division.
2. For Modernization projects (new alignments, widenings that increase capacity, bypasses), Title VI considerations are addressed through the opportunity to provide input at public meetings on the Statewide Transportation Improvement Program. They are also addressed

politically with input from State legislators, the governor, mayors and county council members.

3. A notice on the public informational meetings on the STIP FY 2002, 2003, and 2004 Amendment 2, which had the most substantive changes of the three amendments made during calendar year 2002, was mailed to all the Citizen Advisory Committee (CAC) members. Notices were also printed in the newspapers and placed on the HDOT web site.
4. None were reported. However, the high priority for Alii Highway in Kona was related to improving travel [for low income and ethnic minorities] from South Kona to the job sites in higher income areas in North Kona and South Kohala.. The priority was based on the Mayor's knowledge of the island's needs for roads. A consultant was selected for the planning study for the Keaau to Pahoa Road corridor, including widening and alternate alignments, a project selected in part to address capacity and safety needs of low income and Hawaiian residents in lower Puna.
5. None. Public informational meetings were held on STIP Amendment 2 at the following locations and dates below:
  - Lihue, Kauai, August 6
  - Kahului, Maui, August 8
  - Hilo, Hawaii, August 13
  - Kailua-Kona, Hawaii, August 14

## **Design**

### Airports Division

1. 31 contracts for a total of \$52,191,396. Three of the firms with contracts are DBE certified.
2. Three firms are DBE certified. There is no separate list maintained.
3. Functional Area Concept Development (FACD) meetings were conducted for major design projects. The participants for these sessions were not DOT staff, federal agencies, user groups and other interested parties.
4. Design Section Head, Japanese, male.
  - Engineer, Japanese, male.
  - Engineer, Japanese, male.
  - Engineer, Japanese, male.
  - Engineer, Japanese, male.
  - Engineer, Japanese, female.
5. No complaints filed.
6. None.

### Harbors Division

1. There were a total of 18 consultant contracts open during 2002 with a total value of \$9,550,966.
2. There were no known efforts to increase minority and female participation in obtaining consultant contracts.
3. No public hearings were held during the design phase of any project.
4. Employees as of January 8, 2003: Engineer (Civil) VI – M/J; Engineer (Civil) V – M/J; Engineer (Civil) IV – M/F; Drafting Technician VI – F/Caucasian; Drafting Technician VI – M/F; Engineering Student Intern – F/Chinese. No efforts were made to increase minority and female representation.
5. No complaints were filed in the Design Program area.
6. There are no problem areas nor as there accomplishments/actions to take in the ensuring year.

### Highways Division

#### *Significant Accomplishments:*

The Highways Design Branch and the District offices on Hawaii, Kauai, Maui and Oahu all increased their efforts to involve the public, including low-income people and minorities, in highway design.

A major accomplishment was the Kalanianaʻole Highway Rock Scaling at Makapuu. The project involved complete road closure of the only direct route from Honolulu to Waimanalo and would cause severe impact to the Waimanalo community (majority of the residents are Hawaiians) and businesses. Informational meetings provided dialogue and exchange of ideas that were taken into consideration by the Design Branch to minimize the construction impact.

The Design Branch participated in the UH Manoa Career Day in an attempt to encourage students of all ethnicities and income levels to pursue engineering in their education.

Maui District held a public hearing on the design of its Piilani Highway Interim Widening.

1. Eleven (11) design consultant contracts were executed during the reporting period. The dollar value amounted to \$ 4,834,335. There was one minority firm, with a job amounting to \$387,000. There were no women-owned firms.
2. None. However, the Design Branch has encouraged consultants to consider females and ethnic minorities as subcontractors. There was no separate list maintained on minority and women consultants.
3. Were any public hearings held during the design phase of any highway? A total of eleven (11) public information meetings were held during the calendar year. Pertinent documentation has been

included with the quarterly reports to the department civil rights office. Minorities participated in the public informational meetings. Concerns varied by project.

4. Information not readily available. Seven engineers and six draftspersons are female, but they were selected because they were qualified, not because they were female. The branch is ethnically diverse, with Hawaiian/Part Hawaiian, Filipino, and Chinese ethnic minorities but specific numbers are not readily available within the Highways Division.
5. No complaints were filed.
6. Problems. A significant problem area is the shortage of engineers, land boundary surveyors and drafting technicians that has severely hampered the operations of the Design Branch. The Highways Design Branch and the District offices on Hawaii, Kauai, Maui and Oahu all increased their efforts to involve the public, including low-income people and minorities, in highway design. A major accomplishment was the Kalanianaʻole Highway Rock Scaling at Makapuu. The project involved complete road closure of the only direct route from Honolulu to Waimanalo and would cause severe impact to the Waimanalo community (majority of the residents are Hawaiians) and businesses. Informational meetings provided dialogue and exchange of ideas that were taken into consideration by the Design Branch to minimize the construction impact. The Design Branch participated in the UH Manoa Career Day in an attempt to encourage students of all ethnicities and income levels to pursue engineering in their education. Maui District held a public hearing on the design of its Piilani Highway Interim Widening. Actions to take during the calendar year 2003 include actively pursuing efforts to fill vacant positions in anticipation of the lifting of the current hiring freeze.

*The Hawaii District of the Highways Division provided the following information:*

1. Held four public hearings for the ADA Project in Honokaa, Hawi and Kapaau. The hearings were open to the general public and notifications of the meetings were published in the local newspaper. Minorities attended all meetings.
2. The ethnic and gender breakdown of employees in the Design Program follows:
  - Assistant District Engineer/Section Head, Caucasian, male
  - Consultant Engineer/Unit Head, Japanese, male
  - Design Engineer/Unit Head, Japanese, male
  - Civil Engineer, Japanese, male
  - Civil Engineer, Japanese, male

No efforts were made to increase the representation of minority and female representation because applicants compete through the Civil



Service process and the interviewed applicant deemed most qualified, male or female, is chosen. There were two civil engineer vacancies in the Design Unit in 2002. Except for an in-house transfer, there were no others interested. Both vacancies were advertised in-house and open.

3. No complaints were filed.

## **Environmental Considerations**

### Airports Division

1. None
2. Head Planning Engineer, Caucasian, male.  
Planner, Japanese, male.  
Planner, Japanese, female  
Chinese, female.  
No vacancies.  
No citizen advisory committees were formed during the time period.
3. None
4. Of the 3 firms contracted, one firm was DBE certified. The total cost was \$690,000.
5. None.
6. Not applicable.
7. No.

### Harbors Division

1. No complaints were filed as a result of the choice of a project location or as a result of the procedure used for arriving at the choice.
2. There are currently no employees working in the environmental program area. Until the environmental specialist/engineer positions are ready for recruitment, no efforts can be undertaken to increase the representation of minorities and women. No efforts were made to encourage adequate representation of minorities and women to serve as members of citizen advisory committees.
3. No pre-draft Environmental Impact Statements (EIS) were reviewed during 2002. No comments were provided on the EIS where minority or low-income populations, etc. were adversely impacted.
4. No consultants currently have contracts involving environmental studies.
5. No public hearings were held during 2002 concerning the location of a project.
6. Minority and low-income community representatives were neither identified nor encouraged to become involved in the location and environmental phase.

7. There was no need to utilize bilingual advertisements, announcements, notices, etc. during 2002.

### Highways Division

#### *Significant Accomplishments:*

National Pollution Discharge Elimination System (NPDES) training was provided for 150 Highways Division Employees. This training is crucial in efforts to prevent storm water runoff from harming fishing grounds which low-income people and ethnic minorities rely on for subsistence.

The Construction and Maintenance Branch reorganization was approved with a new Environmental Section that will plan, develop, implement and manage the Division's statewide management programs for Solid Waste; Petroleum, Oil and Lubricants; Lead-based Paint; and Asbestos. These programs should have a positive impact on low-income people and ethnic minorities who rely on subsistence fishing and gathering.

1. No, not for projects at the Planning or Design Branches or the districts.
2. Advanced Planning Section, Planning Branch:
  - Civil Engineer VI (Chinese, Male)
  - Civil Engineer V (Filipino, Male)
  - Civil Engineer V (Chinese, Male)
  - Civil Engineer V (Japanese, Male)
  - Civil Engineer III (Filipino, Female)

The Engineers in the Design Branch work in the environmental area on their projects, but data on ethnicity is not readily available. In the Advanced Planning section of the Planning Branch, the Civil Engineer VI position was vacant most of the calendar year and held on an Acting basis by a Filipino male Civil Engineer V until the position was recently filled by a Chinese male. Two of the above-listed Civil Engineer V positions were vacant during most of the reporting period. These positions were filled by the employees who occupied the section's Civil Engineer IV positions. These Civil Engineer IV positions are now vacant.

3. No pre-draft Environmental Impact Statements were reviewed at the Planning Branch. There were no reported comments provided on EIS where minority or low-income populations, etc. were adversely impacted.
4. Eleven (11) for the Planning Branch. The same consultant has both the H-1 projects. --
  - North-South Road, \$4,000,000
  - Kawaihae Road Bypass, \$1,775,000
  - Saddle Road Extension, \$1,750,000
  - Waimea Bypass, \$1,665,000
  - Nimitz Highway Improvements, \$1,500,000

Kawaihae Road Waiaka Bridge Replacement and  
Realignment, \$525,000

Kapaa Relief Route, \$4,200,000

Lahaina Bypass (Paid by Amfac)

Kihei Upcountry Maui Highway, \$1,665,000

Historic Bridge Inventory, \$56,000

H-1 Lunalilo On and Off Ramps, \$950,000

H-1 Widening, Waiawa to Halawa, \$1,700,000

Dollar value? \$19,786,000. There was one minority and women-  
owned firms with contract involving an environmental study:

Leeward Community College 2<sup>nd</sup> Access (Char and Associates).

Dollar value? \$6,818. Historic Bridge Inventory is under contract  
with U.H. Manoa and has a female Principal Investigator. The dollar  
value is \$56,000. If the Federal government participates in the funding  
of our contracts, the contractor is required to comply with criteria for  
Disadvantaged Business Enterprises.

5. None. Public informational meetings were held. Adequacy of  
notification to minorities and low income communities varied, with  
good participation at public informational meetings resulting from  
mailed notices to all residences and businesses in project area.
6. Notices were placed in newspapers, at public libraries and on bulletin  
boards for some design projects. Consultants developed mailing lists  
for the projects.
7. None identified.

### **Right-of-Way**

#### Airports Division

1. No complaints.
2. None.
3. None.
4. None.
5. None.
6. None.

#### Harbors Division

1. None.
2. None.
3. None.
4. None.
5. None.
6. None.

#### Highways Division

*Significant Accomplishments:*

The Highways Maui District Office succeeded in gaining legal permitted access from Kahului Beach Road to the Kahului Boat Ramp Facility, which is used by local fishermen who are primarily ethnic minorities and some of whom are low-income people.

The Right of Way Branch and all the District Offices cooperated in allowing use of the State right of way for fiber optic cables to serve Hawaiian Homelands.

1. No civil rights complaints were made in any Right-of-Way functions listed.
2. Three appraisers were used. All were minorities; none were women. There are only two or three firms where women are partners. They are more comfortable practicing in their expertise than learning federal regulations/requirements of appraisal reporting which would result in more time, cost and corrections to complete an assignment. They were approached before but declined to be considered for listing on HDOT's qualified list of appraisers.
3. There were 20 negotiations/offers made during the reporting period. There were no discrepancies in the conduct of negotiations between minorities and non-minorities.
4. Besides normal concerns about valuation and project design, none on civil rights as covered by Title VI.
5. There were three minority relocations, two for moving costs only and one minority homeowner relocation with last resort housing. No female, elderly or handicapped relocations.
6. No concerns were expressed on Title VI provisions.

## **Research**

### Airports Division

1. None. Not involved or planning any research type projects.
2. None.
3. None.
4. None.
5. None.

### Harbors Division

1. None.
2. None.
3. None.
4. None.
5. None.

### Highways Division

1. Sixteen (16).
2. University of Hawaii (14 projects)  
Four Winds Group, Inc., California (1 project)  
KSF Inc., Honolulu, HI (1 project)
3. The consultant contracts include a section on Equal Opportunity, requiring the contractor to not discriminate against any employee because of race, color, sex or national origin. The university is also requested annually to submit a list of employees working on each contract giving the ethnicity of each employee.
4. Only two contracts were previously awarded to private consultants. Contract documents for private consultants also included requirement for Equal Opportunity.
5. Discuss Equal Opportunity with consultants prior to award of contract.

### **Construction**

#### Airports Division

1. Airports Division has not received any civil rights complaints.
2. 10.5% DBE participation of total construction contracts for the federal fiscal year 2002 totaling \$2,696,969.
3. Letters were sent to minority agencies to inform them of upcoming projects. DBE goals were advertised in the newspapers, minority papers and etc.
4. Departmental level responsibility.
5. None.

#### Harbors Division

1. No civil rights complaints involving competitive bidding procedures were received.
2. Five DBE firms participated on construction contracts.
3. There were no efforts by DBE staff to encourage the use of minority and women-owned firms on state-funded projects.
4. No procedures were reviewed to assure subcontract agreements, first and second tier, and material supply and equipment lease agreements contained in Title VI contract provisions.
5. There were no significant accomplishments or action items for the ensuring year.

### Highways Division

1. Not applicable.
2. Eighteen (18) percent DBE participation for FY 2002. DBE's were committed to \$9.8 million in subcontracting work. Subcontracts were awarded to one minority women DBE and three white women DBE.

3. No efforts were made efforts to encourage DBE participation in state projects but most of the primes participate in both state and federal-aid projects and are aware of DBE contractors.
4. OCR has reviewed the procedures.
5. None in the DBE area. However, the Highways Division has taken a race neutral approach to implementing the DBE program.

A major problem for the Construction Branch was the 29 percent vacancy of authorized positions as of November 30, 2002. Not all identified functions of the Branch can be performed due to the lack of resources. In the Construction Area at Hawaii District, major accomplishments in the Title VI and Environmental Justice area included the \$6.27 million Keaau-Pahoa Road, Paradise Park Section, Phase II and III Project, which is nearing completion. This roadway improvement project will widen the highway and provide turning lanes at various intersections on the minor arterial highway that serves the Puna District which, the State Department of Health claims, has the most socio-economically at risk communities in the state and the fastest growing concentration of native Hawaiians. Together with the roadway improvements, a waterline serving the Department of Hawaiian Home Lands Makuu Farm Lots has been installed in conjunction with the roadway improvement contract.

Oahu District participated in several public informational meetings to provide input on the construction and maintenance impacts of highway designs.

The District offices, Design Branch, and Right of Way Branch all reviewed construction plans for the fiber optic ductline to serve Hawaiian Homelands in each county. Native Hawaiians and Part Hawaiians will benefit from the sharing of the State Highway right of way to enhance communication for Hawaiians.

*The Hawaii District of the Highways Division provided the following information:*

1. No civil rights complaints were received.
2. DBE participation goals varied from construction contracts.
3. Mandated DBE goals were specified in the contracts and participation was monitored throughout the construction period.
4. None.
5. Significant accomplishments in the construction area were made in Puna, Kau, Hamakua and North Kohala.

The \$6.27 million Keaau-Pahoa Road, Paradise Park Section, Phase II and III Project is nearing completion. This roadway improvement project will widen the highway and provide turning lanes at various

intersections on the minor arterial highway that serves the Puna District which, the State Department of Health claims, has the most socio-economically at risk communities in the state and the fastest growing concentration of native Hawaiians. Together with the roadway improvements, a waterline serving the Department of Hawaiian Home Lands Makuu Farm Lots has been installed in conjunction with the roadway improvement contract.

Other improvements along the Keaau-Pahoa Road are planned. Legislative appropriations in Fiscal Year 2001-2002 of \$0.3 million for the design of the Keaau-Pahoa Road Shoulder Lane Conversion and in Fiscal Year 2002-2003 of \$2.0 million planning funds for widening the Keaau-Pahoa Road to four lanes or an alternative alignment in the corridor are all intended to address the traffic concerns of the Puna communities.

Approximately \$15.2 million of storm damage repairs on Route 11, in the vicinity of Pahala, were completed in the Kau District, which also is an economically depressed area. The design and construction work were fast-tracked to minimize the inconvenience of the Kau communities.

The \$370,000 design for ADA improvements in Hawi, Kapaau and Honokaa is nearing completion. Construction is scheduled in Fiscal Year 2002-2003.

## **Education and Training**

### Airports Division

1. The engineering and planning staff was briefed in the Title VI program requirements and what their project manager responsibilities are for the civil rights program. The Title VI Coordinator and Assistant were trained.
2. No other programs.
3. Department level responsibility.
4. None.

### Harbors Division

1. None.
2. None.
3. None.
4. None.

### Highways Division

*Significant Accomplishments:*

Several Highways staff attended one day of training in Title VI and Environmental Justice provided by the FHWA Western Resource Center. Planning staff also attended training in the use of the U.S. Census 2000 data.

1. None known. Minorities and women had the same opportunities as non-minorities and males to take educational and training courses available through DHRD, LTAP, FHWA, TeraBiz, etc.
2. Types of sponsored or co-sponsored programs – not applicable. Unknown number of state participants. Engineering Student Interns at HWY-PH included one Japanese female and one Filipino-Hawaiian male. Both benefited from the engineering training at the Planning Branch; the male accepted a job at a private engineering firm and the female accepted a position as a Civil Engineer II at the Highways Design Branch.
3. Branch/Office heads and District Engineers are responsible for approving needed training for their employees.
4. To our knowledge, there have been no complaints concerning training and educational opportunities.

*The Hawaii District of the Highways Division provided the following information:*

1. Summer and year-long student hires were employed.
2. Several minority and female students were employed during the summer and throughout the year.
  - Engineering Section –
    - One female student for summer and two female/minority students year round.
  - Maintenance Section –
    - One female student for summer and five female students (three minority) and one male/minority student for year round.
  - Business Office Section –
    - One female student for year round.
3. the District's staff responsible for training are as follows:
  - Engineering Section –
    - Administrative Office, Construction Engineer, Filipino, male.
    - Survey Crew, Land Surveyor II, Japanese, male
  - Maintenance Section –
    - Administrative Office, Maintenance Superintendent, Hawaiian/Part Hawaiian, male.
    - Equipment Services & Repair Unit, Automotive Mechanic Supervisor II, Caucasian, male.
  - Business Office Section –
    - Office Services, Business Services Supervisor, Mixed, female.
4. No complaints were filed.



## **Motor Carrier Safety Program**

### Airports Division

Not applicable to Airports Division.

### Harbors Division

Not applicable to Harbors Division.

### Highways Division

1. One.
2. Not applicable.
3. Unavailable.
4. None.
5. During Federal Fiscal Year 2002, 6,367 commercial vehicles were inspected under the MCSAP program and there were no civil rights complaints.

## **Administration**

### Department

#### HDOT Employee Ethnic Composition

Black	0.2%
Chinese	5.6%
Filipino	15.5%
Hawaiian	2.3%
Japanese	32.0%
Korean	1.2%
Part-Hawaiian	22.1%
Puerto-Rican	0.8%
Samoan	0.4%
White	10.9%
Mixed, excluding Part-Hawaiian	7.3%
Other or Unknown	1.6%

### Airports Division

1. Department level responsibility.
2. All contracts funded by Federal Aviation Administration (FAA) grants must adhere to the Civil Rights grant assurance, which is incorporated in all grant agreements between the Airports Division and the FAA. The assurance requires that the sponsor, Airports Division, comply with rules to assure that no person shall, on the grounds of race, creed, color, national origin, sex, age or handicap be excluded from

participating in any activity conducted with or benefiting from funds received from this grant.

3. Yes, engineering (26), planning (7) and other staff who manage projects received Title VI overview briefing.

#### Harbors Division

1. Department level responsibility.
2. Title VI requirements are included as standard clauses in all contracts and consultant agreements. There were no reviews to ensure that contractors and consultants are adhering to Title VI requirements.
3. The DOT Title VI Coordinator trained the Harbors Division managers and supervisors on August 6, 2002. There were three managers and eight supervisors in attendance

#### Highways Division

1. Department level responsibility.
2. Title VI requirements are included as standard clauses in all contracts and consultant agreements.
3. Department level responsibility.

## **YEAR 2003 GOALS**

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### **Planning**

- Continue attempts to insure that State Highway projects are analyzed separately for impact on low income people and on ethnic minorities;
- Initiate HDOT policy for more proactive planning, including a vision to provide highway improvements that meet the needs of present populations of low income people and ethnic minorities with little political power;
- Complete the reorganization of the Planning Branch and fill vacant positions;
- Improve outreach to ethnic minorities, women and low income people;
- Work with DBEDT to provide 2000 Census demographic data, including National Personal Transportation Survey (NPTS) data, by poverty level, 125 percent of poverty level and detailed ethnicity in tables and GIS that can be easily used by engineers, planners and the general public;
- Further explore how other State Highway Agencies comply with Title VI and Environmental Justice and prove that compliance, including the use of training materials, procedures, best practices, report forms, etc.; and
- In cooperation with the HDOT Title VI Program Specialist and the Branch Title VI Coordinators, develop Title VI report forms to simplify branch, office and district reporting and to provide a better picture of the divisions accomplishments.

### **Project Selection**

- In the updates of the long range land transportation plans, Title VI and Environmental Justice concerns will be addressed in the prioritizing and selection of the Modernization projects. Title VI and Environmental Justice evaluation will be done on a program basis for the other (non-modernization) projects. For example, the locations of resurfacing projects performed in the past will be analyzed to make sure that if there was a disproportionate amount spent on projects in moderate and high income areas, future projects needed in low income areas will not be unduly delayed.

### **Design**

- Actions to take during the calendar year 2003 include actively pursuing efforts to fill vacant positions in anticipation of the lifting of the current hiring freeze.

### **Environmental Considerations**

- The Construction Branch will continue its efforts to get approval to fill the new CE VI position to head up its new Environmental Section. The Planning Branch will look for ways to obtain better information on the impacts of projects on low-income people.

### **Education and Training**

- The Highways Division Planning Branch Title VI Coordinator plans to request training and arrange for training for the division on how to integrate Environmental Justice and Title VI compliance into all Highway programs in response to questions raised in the

branches and districts. If feasible, training will be based on networking with other State Highway Agencies on how they comply and evaluate their compliance.

- The Department plans to conduct Title VI and Environmental Justice training for Airports personnel.

# FORMAT FOR ACCOMPLISHMENT REPORT

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*From ATTACHMENT C of Title VI Plan dated November 6, 2001:*

## **I. POLICY STATEMENT**

If the Title VI policy statement was updated during the reporting period, provide a copy of the new or revised policy statement. Explain how it was disseminated throughout the State.

## **II. ORGANIZATION, STAFFING, STRUCTURES**

Update, as necessary, any changes in officials responsible for Title VI. An organizational chart should be provided in each updated report.

## **III. TITLE VI MONITORING AND REVIEW PROCESS**

Provide a summary of all Sections of Title VI activities where Title VI reviews were conducted, including findings, recommendations, action items, and status thereof.

## **IV. COMPLAINTS**

Provide a summary of each complaint filed. Include the basis, status, and actions proposed and/or taken by the State and current disposition.

## **V. ACCOMPLISHMENT REPORT FOR EACH PROGRAM AREA**

At the minimum, the following should be included in the Title VI annual report of the various program areas:

### **A. Planning**

1. How many consultant projects for planning were awarded during the reporting period? Dollar value?
2. What efforts were made to utilize minority and female consultants and subcontractors?
3. Were there any studies conducted which provided data relative to minority persons, neighborhoods, income levels, physical environment, and travel habits? If so, what type of assistance did those individuals responsible for Title VI provide, to ensure that Title VI considerations were included in the studies.
4. Number of public input opportunities or strategies used during the reporting period. What efforts were utilized to ensure citizen participation in the hearings, particularly minorities and women? Were minorities and women, both individually and through their organizations, represented in the citizen participation effort? How many, and in what capacity?

### **B. Project Selection**

1. Were any consultant contracts awarded during the last year and what efforts were made to utilize women and minority owned firms.

2. How are Title VI considerations addressed through stakeholder involvement mechanisms?
3. Describe how minorities and low income populations were provided opportunities to be involved in project selection processes.
4. Describe what project selection decisions, if any, were affected by Title VI or Environmental Justice issues?
5. How many public hearings, and in what locations, were held on adoption of the STIP or in making other project selection decisions?

**C. Design**

1. How many consultant firms currently have design contracts? Dollar value? How many contracts do minority firms and women owned firms currently hold? Dollar value?
2. What efforts were made to increase minority and female participation in obtaining consultant contracts? Is there currently a separate list maintained on minority and women consultants? How many firms are included on the list? How many are receiving contracts?
3. Were any public hearings held during the design phase of any airport? Did minorities (individuals or organizations) participate in the hearings? If no, why not? Provide a summary of concerns and issues raised if any. Describe actions taken by the Title VI Program Specialist or Coordinator to facilitate and/or address the concerns raised.
4. List the employees in the Design Program area by title, ethnicity, and gender. Where minority and female representation is low, what efforts are made to increase their representation?
5. Were there any complaints filed in the Design Program area? If so, provide summary, with basis, status, actions proposed and taken.
6. List any significant problem areas, accomplishments, and actions to take during the ensuing year.

**D. Environmental Considerations**

1. As a result of the choice of airport facility/location, or the procedure used for arriving at the choice, were any complaints filed? If so, how many? Summarize each complaint and explain status, with actions proposed and taken.
2. Identify the titles, ethnicity and gender of employees working in the environmental program area. Were there any vacancies during the reporting period? What efforts were made by the Title VI Specialist/Coordinator to increase the representation of minorities and women if they are underrepresented? What efforts were made to encourage adequate representation of minorities and women to serve as members of citizen advisory committees?
3. During the reporting period, how many pre-draft Environmental Impact Statements were reviewed? Summarize comments provided on EIS's where minority or low-income populations, etc. were adversely impacted.

4. How many consultants currently have contracts involving environmental studies? Dollar value? How many minority and women-owned firms currently have contracts involving environmental studies? Dollar value? Where minority and women participation on consultant contracts is low, describe efforts taken to increase their participation.
5. How many public hearings were held during the reporting period concerning location of a project? How were the hearings advertised, and was it adequate to provide notification to minorities and low-income communities?
6. How were minority and low-income community representatives identified and encouraged to become involved in the location and environmental phase?
7. During the reporting period, was there a need to utilize bilingual advertisements, announcements, notices, etc.?

#### **E. Right-of-Way**

1. During the reporting period, did the State receive any civil rights complaints in the following Right-of-Way functional areas:
  - i. Appraisals
  - ii. Negotiations
  - iii. Relocation Assistance and Payments
  - iv. Property Management
 If so, how many?
2. How many fee appraisers were utilized during the reporting period? How many are minority and women? If the representation of minority and female appraisers is low, what efforts were made to increase their representation?
3. How many negotiations were made during the reporting period? Does the negotiator's log reflect any disparity in the conduct of negotiations between minorities and non-minorities?
4. Were there any concerns raised by minorities or women concerning their options in the negotiation phase? Explain.
5. Number of relocations during the reporting period:
 

Minority relocations:	_____
Female relocations:	_____
Elderly:	_____
Handicapped:	_____
6. Were any concerns raised by minorities or women on replacement housing, referral housing, etc.?

#### **F. Research**

1. How many research projects are currently underway?
2. List of universities and/or consultants currently conducting research projects.
3. Summarize actions taken to encourage universities to utilize minority and female students to participate on highway research projects.
4. Summarize actions taken to increase minority and women-owned consultant firms in obtaining research projects.
5. List any significant actions planned for the ensuing year.

**G. Construction**

1. Has the State received any civil rights complaints involving competitive bidding procedures? What corrective action, if any was needed, has the State taken? (Provide summary of any concerns raised by DBEs concerning licensing, pre-qualifications, lack of subcontracting opportunities, etc.)
2. What was the level of DBE participation on construction contracts? Female and minority-owned firms?
3. Summarize efforts made by the DBE staff to encourage the use of minority and women-owned firms on state funded projects?
4. During the review period, were any procedures reviewed to assure subcontract agreements, first and second tier, and material supply and equipment lease agreement contained Title VI contract provisions?
5. List any significant accomplishments, and/or action items for the ensuing year.

**H. Education and Training**

1. During the reporting period, what efforts were made to encourage participation by minorities and women in educational and training programs?
2. List the types of sponsored or co-sponsored programs. How many State participants? How many minorities and women?
3. Identify the agency's staff personnel responsible for training by job title, ethnicity and gender.
4. Were there any civil rights complaints filed concerning training and educational opportunities? If so, what corrective actions has the State taken? Provide summary of concerns raised, complaints filed, status, etc.

**I. Motor Carrier Safety Program**

1. How many contracts and inter-agency agreements are currently in effect involving Motor Carrier Safety Program funds?
2. Where contract are with consultant or professional service firms, describe the advertising and selection process. Were DBE firms encouraged to submit proposals? Were DBE goals assigned to contracts?
3. What was the total dollar value of contract work last year? What amount went to DBE firms, either as primes or sub-contractors?
4. What steps, if any, are planned for next year to increase DBE participation?
5. Were any civil rights complaints received regarding the Motor Carrier Safety Program?

**J. Administration**

1. Provide a list of employees by ethnicity, gender, and title in each of the Title VI program areas.
2. Summarize all activities undertaken during the reporting period, which provide for assurances of Title VI compliance by contractors (i.e., are Title VI requirements included in all contracts and consultant agreements; were reviews made to ensure contractors and consultants are adhering to Title VI requirements?).



3. Was any Title VI training provided during the reporting period? If so, how many participants attended, titles, etc.? Was any other kind of civil rights training conducted? If so, what type of training (course content)? Provide a list of participants by job title (i.e., supervisor, manager, etc.).